

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KYLE PETERSEN,  
Plaintiff,

v.

MEKIASH BUYARD,  
Defendant.

No. 1:20-cv-00999-DAD-EPG (PS)

ORDER DENYING MOTION FOR COPY OF  
CIVIL COMPLAINT

(ECF No. 10)

On March 4, 2021, Plaintiff Kyle Petersen (“Plaintiff”), a federal prisoner proceeding *pro se* and *in forma pauperis*, filed a motion requesting a copy of his complaint. (ECF No. 10). Plaintiff’s motion states that he intends to file a motion in this action and needs a copy of the complaint to do so. He further states that his legal documents were lost when he was transferred to his current institution of confinement. For the reasons below, the Court denies Plaintiff’s motion.

As the Court has explained in connection with other cases pending in this court, the Court does not typically make copies for litigants for free:

Plaintiff is advised that the Clerk of Court does not ordinarily provide free copies of case documents to parties. The Clerk charges \$.50 per page for copies of documents. *See* 28 U.S.C. § 1914(a). Copies of up to twenty pages may be made by the Clerk's Office at this Court upon written request and prepayment of the copy fees.

*Petersen v. Buyard*, No. 1:20-cv-884-DAD-EPG (PS), ECF No. 6.

1 Although the Court has twice before granted Plaintiff copies of documents in other cases,  
2 each time it informed him that it was a “one-time exception” and that “In the future, Plaintiff  
3 must retain a copy of all documents submitted to the Court. The Court will not look favorably on  
4 future requests for free copies of filed documents.” *Id.* at 2. *See also Petersen v. Buyard*, No.  
5 1:20-cv-00954-DAD-EPG, ECF No. 6 at 2 (substantially the same).

6 Here, the Court will not make another exception to provide Plaintiff with free copies of  
7 documents in this case. This action is stayed until the Ninth Circuit rules on Plaintiff’s pending  
8 criminal appeal. (ECF No. 9). That appeal is still pending. *See United States v. Peterson*, No. 19-  
9 10246 (9th Cir.). Therefore, no filings are due or will be considered in this case until the stay is  
10 lifted.

11 If Plaintiff still has not received his legal property when the stay in this case is lifted, he  
12 may file another motion. He should explain what he has done to obtain his legal property and the  
13 response of the institution, with any document showing his attempt to obtain his legal property.

14 Therefore, IT IS HEREBY ORDERED that Plaintiff’s Motion for a Copy of Civil  
15 Complaint (ECF No. 10) is DENIED without prejudice.

16  
17 IT IS SO ORDERED.

18 Dated: March 8, 2021

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE